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13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 SAN FRANCISCO DIVISION

16 SECURITIES AND EXCHANGE COMMISSION,

17 Plaintiff,

18 v.

19 PETER C. SON, JIN K. CHUNG,  
20 SNC ASSET MANAGEMENT, INC., and  
21 SNC INVESTMENTS, INC.,

22 Defendants.

Case No. CV-09-2554 MMC

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INTERIM STATUS REPORT  
AND STIPULATED REQUEST  
TO STAY DISCOVERY AND  
CONTINUE PRETRIAL  
DEADLINES

AND ORDER THEREON

1 UNITED STATES COMMODITY FUTURES  
2 TRADING COMMISSION,

3  
4 Plaintiff,

5 v.

6 SNC ASSET MANAGEMENT, INC.,  
7 Formerly Son and Company, Inc.,  
8 SNC INVESTMENTS, INC., PETER SON, and  
9 JIN K. CHUNG,

10 Defendants,

11 and

12 ANN LEE,

13 Relief Defendant.  
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1           The parties file this Interim Status Report to inform the Court that defendant Peter C.  
 2 Son recently pleaded guilty in a related criminal action. Son is currently scheduled to be  
 3 sentenced on July 30, 2010. The parties are in negotiations to resolve the pending claims  
 4 against Son, the two entity defendants, SNC Asset Management, Inc. ("SNCA") and SNC  
 5 Investments, Inc. ("SNCI"), and Ann Lee, the relief defendant in the Commodity Futures  
 6 Trading Commission's action.

7           This matter is currently set for a Settlement Conference with Magistrate Judge  
 8 Elizabeth D. Laporte on July 29, 2010, and a further Status Conference with the Court on  
 9 October 29, 2010. In light of the guilty plea, the upcoming sentencing hearing, and the  
 10 anticipated resolution of the civil claims, the parties request that the Court stay discovery ,  
 11 continue certain pretrial deadlines, and vacate the Settlement Conference.

#### 12   **A.     STATUS OF THE CASE**

13           Son is a defendant in a related criminal case, *United States v. Peter C. Son*, No. CR  
 14 09-00755 DLJ (N.D. Cal. filed July 27, 2009). The criminal charges against Son arise out of  
 15 the same factual allegations as those made in the two civil actions. On April 9, 2010, Son  
 16 pleaded guilty. Son is currently scheduled to be sentenced on July 30, 2010.

17           The plaintiffs and Son, who is an officer of SNCA and SNCI, have been discussing a  
 18 resolution of the civil claims. The parties will consider Son's sentence, including the time he  
 19 is ordered to remain in custody and the amount of restitution he is ordered to pay, in arriving  
 20 at an appropriate settlement with Son, SNCA, and SNCI, as well as with the relief defendant,  
 21 Lee.

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**B. STIPULATION TO CONTINUE SETTLEMENT CONFERENCE AND OTHER DEADLINES**

The parties agree to recommend that the Settlement Conference be taken off calendar, the discovery deadlines rescheduled, and discovery stayed until after Son is sentenced. A stay in the discovery in this action until after the current sentencing date, July 30, 2010, would permit the parties to discuss resolution of the civil claims. Similarly, an extension of certain pretrial deadlines would give the parties time to negotiate a resolution and plaintiffs an appropriate amount of time to seek ultimate approval of any settlement offers made by Son, SNCA, SNCI, and the relief defendant. Because the parties believe that they will be able to resolve this action, they recommend that the Settlement Conference be vacated.

The parties therefore stipulate to the following schedule:

<u>Event or deadline</u>	<u>Current Date</u>	<u>Proposed Continued Date</u>
Confidential Settlement Conference Statement	July 19, 2010	Vacated
Settlement Conference	July 29, 2010	Vacated
Designation of Experts	July 31, 2010	Oct. 1, 2010
Non-expert discovery cutoff	Aug. 31, 2010	Oct. 29, 2010
Expert discovery cutoff	Aug. 31, 2010	Oct. 29, 2010
Dispositive motions	Oct. 1, 2010	Dec. 3, 2010
Further Telephonic Status Conference Statement	Oct. 22, 2010	Oct. 22, 2010 (no change)
Further Telephonic Status Conference	Oct. 29, 2010	Oct. 29, 2010 (no change)
Meet and confer	Jan. 31, 2011	Jan. 31, 2011 (no change)
Pretrial conference	Mar. 8, 2011	Mar. 8, 2011 (no change)
Trial date	Mar. 21, 2011	Mar. 21, 2011 (no change)

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1 A [Proposed] Order follows. The parties will submit a separate [Proposed] Order for  
2 Magistrate Judge Laporte's consideration vacating the current Settlement Conference.

3  
4 Dated: June 24, 2010

/s/ Robert L. Tashjian

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COMMISSION

/s/ Toye A. Olarinde

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/s/ John H. Feiner

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PETER C. SON,  
SNC ASSET MANAGEMENT, INC., and  
SNC INVESTMENTS, INC.,  
and Relief Defendant  
ANN LEE

\* \* \*

**~~PROPOSED~~ ORDER**

The Court has considered the materials and papers submitted by counsel in this matter. For good cause shown and PURSUANT TO STIPULATION, IT IS HEREBY ORDERED as follows:

Discovery in this case shall be stayed until after defendant Peter C. Son is sentenced on July 30, 2010, in the criminal action captioned *United States v. Peter C. Son*, No. CR 09-007755 DLJ (N.D. Cal. filed July 27, 2009). The parties shall inform the Court no later than August 6, 2010, about the status of the criminal sentencing and whether they believe that a Settlement Conference will be required to resolve the civil claims.

The following pretrial deadlines previously set by the Court are continued to the following dates:

Designation of Experts	Oct. 1, 2010
Non-expert discovery cutoff	Oct. 29, 2010
Expert discovery cutoff	Oct. 29, 2010
Dispositive motions	Dec. 3, 2010

IT IS SO ORDERED.

Dated: July 7, 2010

/s/ Vaughn R Walker for  
 MAXINE M. CHESNEY  
~~United States District Judge~~  
 United States District Judge